



ATTORNEYS AT LAW



Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Donald J. Featherstone
Timothy J. Sheen, Jr
Lawrence B. Bugaiksky
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Brian J. Del Buono
Virgil Lee Beaston
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhuillier
Rae Lynn P. Guest

George S. Bardmessner
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
Jon E. Wright
LiaAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford
Helena C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle*
Gaby L. Longsworth
Lori A. Gordon
Nicole D. Dretar
Ted J. Ebelscole
Jyoti C. Iyer
Laura A. Vogel

Michael J. Mancuso
Bryan S. Wade
Aaron L. Schwartz
Michael G. Penn*
Shannon A. Carroll*
Wesley W. Jones*
Matthew E. Kelley*
Nicole R. Kramer*

Registered Patent Agents*

Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Katrina Fujian Pei Quach
Bryan L. Skeleton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford

Michelle K. Holubek
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Christopher J. Walsh
Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey Mills

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
•Admitted only in Virginia
•Practice Limited to
Federal Agencies

July 1, 2005

WRITER'S DIRECT NUMBER:
(202) 772-8587

INTERNET ADDRESS:
PGARRETT@SKGF.COM

Art Unit 2685

Mail Stop Amendment

Re: U.S. Utility Patent Application
Appl. No. 09/770,675; Filed: January 29, 2001
For: **Wireless and Wired Cable Modem Applications of
Universal Frequency Translation Technology**
Inventor: Sorrells *et al.*
Our Ref: 1744.0140005

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Third Supplemental Information Disclosure Statement;
2. Form PTO-1449 listing twenty (20) documents and accompanied by one (1) document; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Patrick E. Garrett

Attorney for Applicants
Registration No. 39,987

PEG/NDD/sjc
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sorrells *et al.*

Appl. No.: 09/770,675

Filed: January 29, 2001

For: **Wireless and Wired Cable Modem
Applications of Universal
Frequency Translation Technology**

Confirmation No.: 5430

Art Unit: 2685

Examiner: Tran, Pablo N.

Atty. Docket: 1744.0140005

Third Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on March 1, 2005 in connection with the above-captioned application.

Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Document AQ59 was cited in a Notice of Allowance in related U.S. Patent Application No. 10/290,323, filed November 8, 2002, entitled "Method and Apparatus for DC Offset Removal in a Radio Frequency Communication Channel," directed to related subject matter.

Documents AE65, AE66, and AF66 are co-owned patents which are directed to related subject matter.

Documents AF65-AI65 and AA66-AD66 were cited in an Office Action in related U.S. Patent Application No. 09/855,851, filed May 16, 2001, entitled "Apparatus, System, and Method for Down-Converting and Up-Converting Electromagnetic Signals," directed to related subject matter. Also cited in said Office Action were U.S. Pat. Nos. 5,465,415, 6,049,706, 6,061,551, 6,580,902, 6,687,493, and 6,813,485, which have already been cited in the present application.

Document AG66 was cited in an Office Action in related U.S. Patent Application No. 09/550,642, filed April 14, 2000, entitled "Method And System For Down-Converting An Electromagnetic Signal, And Transforms For Same," directed to related subject matter. Also cited in said Office Action were U.S. Pat. Nos. 5,678,226 and 6,094,084, which have already been cited in the present application.

Document AH66 was cited in an Office Action in related U.S. Patent Application No. 09/476,092, filed January 3, 2000, entitled "Analog Zero If Fm Decoder And Embodiments Thereof, Such As The Family Radio Service," directed to related subject matter. Also cited in said Office Action were U.S. Pat. Nos. 5,600,680 and 5,606,731, which have already been cited in the present application.

Documents AI66 and AA67-AC67 were cited in an Office Action in related U.S. Patent Application No. 09/567,977, filed May 10, 2000, entitled "Optical Down-Converter Using Universal Frequency Translation Technology," directed to related subject matter. Also cited in said Office Action was Stewart, R.W. and Pfann, E., "Oversampling and sigma-delta strategies for data conversion," *Electronics & Communication Engineering Journal*, IEEE, pp. 37-47 (February 1998)., which has already been cited in the present application.

Documents AD67 and AE67 were cited in a Notice of Allowance in related U.S. Patent Application No. 09/632,855, filed August 4, 2000, entitled "Wireless Local Area Network (WLAN) Using Universal Frequency Translation Technology Including Multi-Phase Embodiments," directed to related subject matter.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign

patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than

three months prior to the filing of this Information Disclosure Statement.
37 C.F.R. § 1.97(e)(2).

c. Attached is our PTO-2038 Credit Card Payment Form in the amount of
_____ in payment of the fee under 37 C.F.R. § 1.17(p).

4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being
filed more than three months after the U.S. filing date and after the mailing date
of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.
Enclosed find our PTO-2038 Credit Card Payment Form in the amount of
\$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of
information contained in this Information Disclosure Statement was cited
in a communication from a foreign patent office in a counterpart foreign
application not more than three months prior to the filing of this
Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of
information in this Information Disclosure Statement was cited in a
communication from a foreign patent office in a counterpart foreign
application and, to my knowledge after making reasonable inquiry, was
known to any individual designated in 37 C.F.R. § 1.56(c) more than
three months prior to the filing of this Information Disclosure Statement.
37 C.F.R. § 1.97(e)(2).

- 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- 6. A concise explanation of the relevance of non-English language documents appears below:
- 7. A copy of document AQ59 is enclosed. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents and patent application publications cited on the attached Form PTO-1449 are not enclosed.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- 9. It is expected that the examiner will review the prosecution and cited art in the parent application no. _____, in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Patrick E. Garrett
Attorney for Applicants
Registration No. 39,987

Date: 7/1/05

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

415619_1.DOC



FORM PTO-1440 & TRADEMARK OFFICE THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 1744.0140005	APPLICATION NO. 09/770,675
		FIRST NAMED INVENTOR David F. SORRELLS	
		FILING DATE January 29, 2001	ART UNIT 2685

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE65	6,853,690 B1	02/2005	Sorrells <i>et al.</i>			
	AF65	4,789,837	12/1988	Ridgers			
	AG65	5,634,207	05/1997	Yamaji <i>et al.</i>			
	AH65	5,642,071	06/1997	Sevenhans <i>et al.</i>			
	AI65	6,211,718 B1	04/2001	Souetinov			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER INITIAL	DOC. REF.	CITATION
	AN	
	AO	
	AP	
	AQ59	Hellwarth, G.A. and Jones, G.D., "Automatic Conditioning of Speech Signals," <i>IEEE Transactions on Audio and Electroacoustics</i> , Vol. AU-16, No. 2, pp. 169-179 (June 1968).
	AR	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449 THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 1744.0140005	APPLICATION NO. 09/770,675
		FIRST NAMED INVENTOR David F. SORRELLS	
		FILING DATE January 29, 2001	ART UNIT 2685

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA66	6,212,369 B1	04/2001	Avasarala			
	AB66	6,308,058 B1	10/2001	Souetinov <i>et al.</i>			
	AC66	6,633,194 B2	10/2003	Arnborg <i>et al.</i>			
	AD66	2001/0036818 A1	11/2001	Dobrovolny			
	AE66	6,873,836 B1	03/2005	Sorrells <i>et al.</i>			
	AF66	6,879,817 B1	04/2005	Sorrells <i>et al.</i>			
	AG66	6,057,714	05/2000	Andrys <i>et al.</i>			
	AH66	2003/0081781 A1	05/2003	Jensen <i>et al.</i>			
	AI66	5,994,689	11/1999	Charrier			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER INITIAL	DOC. REF.	CITATION
	AN	
	AO	
	AP	
	AQ	
	AR	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 1744.0140005	APPLICATION NO. 09/770,675
FIRST NAMED INVENTOR David F. SORRELLS	
FILING DATE January 29, 2001	ART UNIT 2685

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA67	6,512,544 B1	01/2003	Merrill <i>et al.</i>			
	AB67	6,628,328 B1	09/2003	Yokouchi <i>et al.</i>			
	AC67	6,801,253 B1	10/2004	Yonemoto <i>et al.</i>			
	AD67	3,737,778	06/1973	Van Gerwen <i>et al.</i>			
	AE67	4,286,283	08/1981	Clemens			
	AF						
	AG						
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER INITIAL	DOC. REF.	CITATION
	AN	
	AO	
	AP	
	AQ	
	AR	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.